

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

United States of America,

Plaintiff

v.

Charles Ellis,

Defendant

Case No.: 2:18-cr-00255-JAD-EJY

Order Regarding Trial

1. Attached hereto is a list of the civil and criminal cases that are presently scheduled for the trial stacked calendar before the Honorable Jennifer A. Dorsey, United States District Judge, in Las Vegas, Nevada, beginning on **Tuesday, November 19, 2019, at 9:00 a.m.** in Courtroom 6D.

2. Lead trial counsel for all parties in civil and criminal cases, and all pro se parties, must appear in Courtroom 6D on **Monday, October 28, 2019, at 1:30 p.m.** for Calendar Call. Unless a party in a civil case is appearing pro se, the individual parties in civil cases will not be required to appear for Calendar Call unless the Court directs otherwise. Defendants in criminal cases are required to be present at calendar call.

3. Counsel and their clients will be excused from Calendar Call if settlement papers have been filed in a civil case or a defendant's plea of guilty or nolo contendere has been received in a criminal case prior to the date scheduled for Calendar Call.

4. At Calendar Call, all cases that remain to be tried will be ranked in order of trial. The Court may also schedule a final Pretrial Conference to address outstanding issues including any Motions in Limine that have not been previously ruled upon. Thereafter, the Court will not grant a continuance to any party absent a showing of good cause. Unless the Court otherwise directs,

1 the cases will be tried one after the other on TWENTY-FOUR (24) HOURS' notice from the
2 Courtroom Administrator. Criminal cases will be given priority, and if multiple criminal must be
3 tried in a single stack, the cases will be prioritized according to their must-be-tried dates.

4 **5. WITNESSES.** The parties must immediately subpoena all witnesses for the trial date
5 and time as listed above. Inasmuch as some cases will be tried in a trailing fashion, the
6 subpoenas should contain a special instruction from counsel directing witnesses to contact the
7 office of counsel for further instructions prior to appearing for trial. Witnesses are not required
8 to be present at the Calendar Call.

9 **6. USE OF EVIDENCE-DISPLAY EQUIPMENT.** Counsel wishing to utilize the
10 court's evidence-display equipment must contact the Courtroom Administrator prior to Calendar
11 Call to determine its availability and to arrange for training, if needed.

12 **7. EXHIBITS.** No later than 12:00 p.m. on the day of Calendar Call, the parties must
13 file a complete list of all exhibits intended to be used during the trial and serve a copy upon all
14 other parties. Numerals must be used to identify all exhibits: Plaintiff's exhibits should be
15 marked 1 through 500; defendant's exhibits should be marked 501 through 1000. The exhibits
16 must be listed on a form provided by the Courtroom Administrator or obtained from the Court's
17 website www.nvd.uscourts.gov, as long as it conforms to the requirements of the form that is
18 provided by the clerk.

19 In any case that involves fifteen or more document exhibits, each exhibit must be placed
20 in a loose-leaf binder behind a tab noting the number of each exhibit. The binder must be clearly
21 marked on the front and side with the case caption and number and the sequence of exhibits. At
22 the beginning of trial, counsel must provide the Courtroom Administrator with the binder
23 containing the original exhibits and a courtesy set for both the opposing side and the trial judge.

1 **8. PROPOSED JURY VOIR DIRE QUESTIONS.** The Court primarily conducts the
2 jury selection process on her own. No later than 12:00 p.m. on the day of Calendar Call, the
3 parties must file any proposed jury voir dire questions that any party requests the Court to pose
4 to prospective jurors at the time of jury selection.

5 **9. WITNESS LISTS.** No later than 12:00 p.m. on the day of Calendar Call, the parties
6 must file a list of witnesses expected to be called on behalf of each party. The Court will read
7 this list to the jury venire during the selection process to clear conflicts.

8 **10. CHANGE-OF-PLEA HEARINGS IN CRIMINAL CASES.** Change-of-plea
9 hearings in criminal cases will be set for CALENDAR CALL unless otherwise scheduled. It is
10 the joint responsibility of counsel for the United States and for the defendant to ensure that a
11 copy of the plea agreement be emailed to Courtroom Administrator Danielle Cacciabaudo at
12 danielle_cacciabaudo@nvd.uscourts.gov prior to the date the plea of guilty or nolo contendere is
13 to be taken. The original, signed plea agreement must be submitted to the Courtroom
14 Administrator the day of the hearing. It is also the responsibility of counsel for the United States
15 to ensure that any necessary produce orders or Writs of Habeas Corpus Ad Prosequendum are
16 timely delivered to the United States Marshal to ensure the presence of all in-custody defendants
17 for change of plea, and to ensure proper notification for the attendance of any court interpreter
18 who may be required for the particular case.

19 **11. JURY INSTRUCTIONS.** No later than 12:00 p.m. on the day of Calendar Call, the
20 parties must jointly file a set of agreed-upon jury instructions and proposed verdict forms. The
21 parties must also submit additional proposed jury instructions and verdict forms. A copy of all
22 the jury instructions and verdict forms must also be emailed in Word format to the Courtroom
23 Administrator at danielle_cacciabaudo@nvd.uscourts.gov. The parties must comply with the

Order Regarding Pretrial Procedure previously entered in the case. All proposed jury instructions submitted by the parties should be concise, understandable, and neutral statements of law. Argumentative jury instructions are improper, will not be given, and should not be submitted.

12. CRIMINAL CASES: TRIAL MEMORANDUM. In all criminal cases, the United States must file under-seal its trial memorandum before 12:00 p.m. on the day of Calendar Call. A courtesy copy for the court must also be submitted to Courtroom Administrator, Danielle Cacciabauda, prior to Calendar Call. The Government's Trial Memorandum must be served on counsel for defendant(s) prior to the commencement of the first day of trial and will be unsealed at that time.

13. CIVIL CASES: TRIAL BRIEFS, PROPOSED FINDINGS OF FACTS, AND CONCLUSIONS OF LAW. To the extent they have not already done so in accordance with the Court's Joint Pretrial Order, the parties must file their trial briefs no later than 12:00 p.m. on the day of Calendar Call. Additionally, in all civil cases to be tried before the court sitting without a jury, the parties must file proposed Findings of Fact and Conclusions of Law and also email a copy to the Courtroom Administrator at danielle_cacciabauda@nvd.uscourts.gov in Word format.

14. EXPEDITED OR DAILY TRANSCRIPTS. Any party that will require expedited or daily transcripts must notify the Court Reporter, Amber McClane, at 702-384-0429 or Amber_Mcclane@nvd.uscourts.gov immediately upon receipt of this order. Failure to timely notify the Court Reporter may result in the refusal to provide expedited or daily transcripts.

15. SANCTIONS. As the Local Rules of Practice of this Court contemplate, the Court will consider the imposition of sanctions against any attorney or party appearing pro se who: (1)

1 fails to timely file trial briefs, suggested voir dire questions, proposed jury instructions, or
2 proposed findings of fact and conclusions of law; (2) fails to comply with any provision of this
3 order; or (3) fails to timely comply with any other order that schedules deadlines for trial
4 preparation.

5 **16. CONSENT TO TRIAL BEFORE A MAGISTRATE JUDGE.** All parties in civil
6 actions are reminded of their right, subject to the Court's approval, to consent to trial before a
7 United States Magistrate Judge under Title 28, United States Code, Section 636(c)(2). The right
8 to proceed before a magistrate judge in a civil case includes bench and jury trials. Any appeal
9 from a judgment resulting in a trial before a magistrate judge must be taken directly to the United
10 States Court of Appeals.

11 **17. CONTACT PERSON.** All questions and information regarding the trial calendar
12 must contact the Courtroom Administrator, **Danielle Cacciabauda**, at (702)-464-5414 or
13 Danielle_Cacciabauda@nvd.uscourts.gov. **DO NOT CALL CHAMBERS.**

14 IT IS SO ORDERED.

15 DATED: 10/1/2019

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17 _____
18 JENNIFER A. DORSEY
19 U.S. DISTRICT JUDGE
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:13-cr-00368-JAD-VCF

UNITED STATES OF AMERICA

v.

JOHN DAVID YODER (2)

(In Custody)

JURY TRIAL

COUNSEL FOR GOVERNMENT:

Elham Roohani, AUSA

Christopher Burton, AUSA

COUNSEL FOR DEFENDANT:

John Dolan, Esq.

Jennifer Waldo, CJA

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:17-cr-00167-JAD-NJK

UNITED STATES OF AMERICA

v.

MARQUES AVONTA BUTLER (1)

(On Bond)

JURY TRIAL

COUNSEL FOR GOVERNMENT:

Robert Knief, AUSA

COUNSEL FOR DEFENDANT:

Rebecca Levy, AFPD

Katherine Tanaka, AFPD

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:17-cr-00252-JAD-VCF

UNITED STATES OF AMERICA

v.

JURY TRIAL

WILLIAM C. ETHERIDGE (1)
(In Custody)

COUNSEL FOR GOVERNMENT:

Nicholas Dickinson, AUSA

COUNSEL FOR DEFENDANT:

Paul Riddle, AFPD

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:18-cr-00096-JAD-EJY

UNITED STATES OF AMERICA

v.

CESAR JESUS HERNANDEZ (1)

(In Custody)

JURY TRIAL

COUNSEL FOR GOVERNMENT:

Linda Mott, AUSA

COUNSEL FOR DEFENDANT:

Shari Kaufman, AFPD

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:18-cr-00255-JAD-EJY

UNITED STATES OF AMERICA

v.

JURY TRIAL

CHARLES ELLIS (1)
(On Bond)

COUNSEL FOR GOVERNMENT:

Patrick Burns, AUSA

COUNSEL FOR DEFENDANT:

Donald Green, Esq.

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:18-cr-00317-JAD-VCF

UNITED STATES OF AMERICA

v.

GLEN EDWARD GARNER (1)

(On Bond)

JURY TRIAL

COUNSEL FOR GOVERNMENT:

Kevin Schiff, AUSA

COUNSEL FOR DEFENDANT:

Richard Pocker, CJA

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:18-cr-00321-JAD-NJK

UNITED STATES OF AMERICA

v.

JURY TRIAL

ANGELO TAYLOR (1)
(In Custody)

COUNSEL FOR GOVERNMENT:

Susan Cushman, AUSA

Allison Reese, AUSA

COUNSEL FOR DEFENDANT:

Paul Riddle, AFPD

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabauda
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:19-cr-00095-JAD-VCF

UNITED STATES OF AMERICA

v.

JURY TRIAL

ROBERT MARCELLUS JONES (1)
(In Custody)

COUNSEL FOR GOVERNMENT:

Brian Whang, AUSA

COUNSEL FOR DEFENDANT:

Monique Kirtley, AFPD

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
LAS VEGAS, NEVADA
COURTROOM 6D

TUESDAY, NOVEMBER 19, 2019

PRESENT:

THE HONORABLE JENNIFER A. DORSEY, U.S. DISTRICT JUDGE

Danielle Cacciabaudo
Courtroom Administrator

Amber McClane
Reporter/Recorder

9:00 A.M.

2:14-cv-01773-JAD-DJA

MICHELLE MCKENNA

v.

DAVID Z. CHESNOFF, CHTD. P.C., ET AL

JURY TRIAL

COUNSEL FOR PLAINTIFF(s):

Dennis Kennedy, Esq.

Sarah Harmon, Esq.

Kelly Stout, Esq.

COUNSEL FOR DEFENDANT(s):

Brian Terry, Esq.

Philip Goodhart, Esq.

Kenneth Lund, Esq.

Sean Cooney, Esq.